


No. 14-614
Vide 15-623

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| Title: | W. Kevin Hughes, Chairman, Maryland Public Service Commission, et al., Petitioners<br>v.<br>Talen Energy Marketing, LLC, fka PPL EnergyPlus, LLC, et al. |
| Docketed: | November 26, 2014 |
| Linked with 14A282 | |
| Lower Ct: | United States Court of Appeals for the Fourth Circuit |
| Case Nos.: | (13-2419, 13-2424) |
| Decision Date: | June 2, 2014 |
| Rehearing Denied: | June 30, 2014 |

**Questions Presented**

| --Date-- | ----Proceedings and Orders---------- |
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| Sep 12 2014 | Application (14A282) to extend the time to file a petition for a writ of certiorari from September 28, 2014 to November 27, 2014, submitted to The Chief Justice. |
| Sep 15 2014 | Application (14A282) granted by The Chief Justice extending the time to file until November 27, 2014. |
| Nov 25 2014 | Petition for a writ of certiorari filed. (Response due December 29, 2014) |
| Dec 11 2014 | Consent to the filing of amicus curiae briefs, in support of either party or of neither party, received from counsel for the petitioners Nazarian, et al. |
| Dec 12 2014 | Consent to the filing of amicus curiae briefs, in support of either party or neither party, received from counsel for petitioner CPV Maryland, LLC. VIDED |
| Dec 17 2014 | Consent to the filing of amicus curiae briefs, in support of either party or of neither party, received from counsel for the respondents. |
| Dec 22 2014 | Order extending time to file response to petition to and including February 11, 2015. |
| Dec 24 2014 | Brief amicus curiae of National Association of Regulatory Utility Commissioners filed. VIDED. |
| Dec 26 2014 | Brief amici curiae of The States of Connecticut, et al. filed. VIDED. |
| Dec 29 2014 | Brief amici curiae of American Public Power Association, et al. filed. VIDED. |
| Feb 11 2015 | Brief of respondents PPL EnergyPlus, LLC, et al. in opposition filed. VIDED. |
| Feb 25 2015 | DISTRIBUTED for Conference of March 20, 2015. |
| Feb 25 2015 | Reply of petitioners Douglas R. M. Nazarian, et al. filed. (Distributed) |
| Mar 23 2015 | The Solicitor General is invited to file a brief in this case expressing the views of the United States. |
| Sep 16 2015 | Brief amicus curiae of United States filed. VIDED. |
| Sep 30 2015 | DISTRIBUTED for Conference of October 16, 2015. |
| Sep 30 2015 | Supplemental brief of petitioners Douglas R. M. Nazarian, et al. filed. (Distributed) |
| Oct 19 2015 | Petition GRANTED The petition for a writ of certiorari in No. 14-623 is granted. The |

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| | cases are consolidated and a total of one hour is allotted for oral argument. |
| Nov 9 2015 | The time to file the joint appendix and petitioners' briefs on the merits is extended to and including December 8, 2015. VIDED |
| Nov 9 2015 | The time to file respondents' brief on the merits is extended to and including January 12, 2016. VIDED |
| Nov 16 2015 | Consent to the filing of amicus curiae briefs, in support of either party or of neither party received from counsel for petitioners. |
| Nov 16 2015 | Consent to the filing of amicus curiae briefs in support of either party or of neither party received from counsel for all respondents. VIDED |
| Dec 8 2015 | Brief of petitioners W. Kevin Hughes, Chairman, Maryland Public Service Commission, et al. filed. |
| Dec 8 2015 | Brief of petitioner CPV Maryland, LLC filed. VIDED. |
| Dec 8 2015 | Joint appendix filed (2 Volumes). (Statement of costs filed.) VIDED. |
| Dec 15 2015 | Brief amicus curiae of National Association of Regulatory Utility Commissioners filed. VIDED. |
| Dec 15 2015 | Brief amici curiae of The States of Connecticut, et al. filed. VIDED. |
| Dec 15 2015 | Brief amici curiae of American Public Power Association, et al. filed. VIDED. |
| Dec 15 2015 | Brief amicus curiae of NRG Energy, Inc. filed. VIDED. |
| Dec 15 2015 | Brief amicus curiae of Public Utility Law Project of New York, Inc. filed. VIDED. |
| Dec 15 2015 | Brief amicus curiae of American Wind Energy Association filed. VIDED. |
| Dec 15 2015 | Brief amici curiae of National Governors Association, et al. filed. VIDED. |
| Dec 15 2015 | Brief amici curiae of Public Service Commission of the State of New York, et al. filed. VIDED. |
| Dec 15 2015 | Brief amicus curiae of Public Citizen, Inc. filed. VIDED. |
| Dec 23 2015 | SET FOR ARGUMENT ON Wednesday, February 24, 2016 |
| Jan 5 2016 | Record requested from the U.S.C.A. 4th Circuit. |
| Jan 5 2016 | Record received from the U.S.D.C. District of Maryland is Electronic and located on PACER. Some of the documents are SEALED and electronic. |
| Jan 12 2016 | Record received from the U.S.D.C. District of Maryland. (1 SEALED Envelope) |
| Jan 12 2016 | Brief of respondents Talen Energy Marketing, LLC, fka PPL EnergyPlus, LLC, et al. filed. VIDED. |
| Jan 14 2016 | Joint motion for divided argument filed by petitioners. VIDED. |
| Jan 15 2016 | CIRCULATED. |
| Jan 19 2016 | Motion of the Solicitor General for leave to participate in oral argument as amicus curiae and for divided argument filed. VIDED. |
| Jan 19 2016 | Brief amicus curiae of United States filed. VIDED. (Distributed) |
| Jan 19 2016 | Brief amici curiae of Leading Economists filed. VIDED. (Distributed) |
| Jan 19 2016 | Brief amicus curiae of American Electric Power Company, Inc. filed. VIDED. (Distributed) |
| Jan 19 2016 | Brief amicus curiae of Allco Renewable Energy Limited filed. VIDED. (Distributed) |
| Jan 19 2016 | Brief amici curiae of Electric Power Supply Association, et al. filed. VIDED. (Distributed) |
| Jan 19 2016 | Brief amicus curiae of Monitoring Analytics, LLC, Acting in its Capacity as the Independent Market Monitor for PJM filed. VIDED. (Distributed) |
| Jan 25 2016 | Joint motion for divided argument filed by petitioners GRANTED. VIDED |
| Jan 25 2016 | Motion of the Solicitor General for leave to participate in oral argument as amicus curiae and for divided argument GRANTED. VIDED |
| Feb 4 2016 | Supplemental brief of respondents Talen Energy Marketing, LLC, fka PPL EnergyPlus, |

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| | LLC, et al. filed. VIDED. (Distributed) |
| Feb 11 2016 | Reply of petitioner W. Kevin Hughes, Chairman, Maryland Public Service Commission, et al. filed. (Distributed) VIDED. |
| Feb 11 2016 | Reply of petitioner in 14-623 filed. VIDED. (Distributed) |
| Feb 24 2016 | Argued. For petitioners in 14-614: Scott H. Strauss, Washington, D. C. For petitioner in 14-623: Clifton S. Elgarten, Washington, D. C. For respondents: Paul D. Clement, Washington, D. C.; and Ann O'Connell, Assistant to the Solicitor General, Department of Justice, Washington, D. C. (for United States, as amicus curiae.) VIDED |
| Apr 19 2016 | Adjudged to be AFFIRMED. Ginsburg, J., delivered the opinion of the Court, in which Roberts, C. J., and Kennedy, Breyer, Alito, Sotomayor, and Kagan, JJ., joined. Sotomayor, J., filed a concurring opinion. Thomas, J., filed an opinion concurring in part and concurring in the judgment. VIDED |
| May 23 2016 | JUDGMENT ISSUED |